ANNUAL REPORT - 1986

PRINCE EDWARD ISLAND

LAND USE COMMISSION

ANNUAL REPORT - 1986

PRINCE EDWARD ISLAND LAND USE COMMISSION

During the calendar year 1986 the Land Use Commission engaged in a broad range of activities relating to the use and ownership of land within the province. Twenty meetings were held during the year. The main activities of the Commission can be summarized as follows:

1. Appeals.

The Land Use Commission hears appeals from persons who are dissatisfied with decisions made by government agencies and municipal governments under the Planning Act and the Unsightly Properties Act. Most appeals (12 in 1986) are submitted by persons or companies who have been refused permission to subdivide their land or from persons who are refused a building permit. In a smaller number of cases, citizens or municipalities are appealing decisions involving the approval of a subdivision or building permit (6 in 1986). The Commission made decisions on 17 appeals under the Planning Act in 1986. Fourteen were appeals of decisions of the Department of Community and Cultural Affairs; the remainder were appeals of decisions made by municipalities under the authority of Official Plans and Zoning By-laws. The number of appeals heard by the Commission were seven more than those heard in the preceding year. Fourteen appeals were denied; three were allowed. One appeal was commenced under Part III of the Planning Act, Major Retail Development.

2. Lands Protection Act.

The Commission continues to be responsible for making recommendations

to Executive Council on all applications from non-residents and non-farm corporations seeking to acquire land in the province under the Lands Protection Act. The Commission is also responsible for the administration of the legislation.

During the course of the year the Commission made recommendations on 111 non-resident and 48 corporate applications. Six requests to release land from land identification agreements were granted.

One application was made by an individual to acquire a landholding in excess of 1,000 acres. The application was approved. A statement outlining the basis of the transaction will be made to the Legislature pursuant to Section 8 (2) of the Act.

The vast majority of applications under the Lands Protection Act continue to be routine in nature. Gifts and bequests between related individuals, transfers between one non-resident and another, transfers from an individual to his company, etc., make up the bulk of the transactions under the Act.

On August 2, 1986, a processing fee of $500. was enacted for all applications for permits and special permits. Provincially incorporated companies with the majority of shares held by residents were exempted. Revenues from the processing fees for 1986 were $20,500.

3. Official Plans

New Official Plans were approved for the Communities of Keppoch-Kinlock and Sherwood. Most suburban communities in the Charlottetown and Summerside

areas now have their own Official Plans and associated by-laws. Several are now reviewing their Official Plans which have been in effect for several years.

4. Other Activities

A draft policy on shorefront subdivisions was prepared and submitted to Policy Board. The Executive Director was seconded on a part-time basis to Policy Board to act as chairman of a committee preparing a provincial conservation strategy.

5. Herbert Pridham and Martin Ching were appointed to the Commission replacing Eric Fullerton and Philip Curley whose terms had expired.